

AMENDED IN ASSEMBLY MAY 24, 2010

AMENDED IN SENATE MAY 5, 2009

**SENATE BILL**

**No. 623**

---

**Introduced by Senator Ashburn**

February 27, 2009

---

~~An act to amend Sections 18530 and 19080.3 of the Government Code, relating to civil service appointments. An act to add Section 53593.5 to the Government Code, relating to local government.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 623, as amended, Ashburn. ~~Civil service appointments: limited term appointments. Local government: bonds.~~

*Existing law prohibits an investment firm, as defined, from having specified interests in a new issuance of bonds from a local agency.*

*This bill would prohibit a local agency from entering into a financial advisory, legal advisory, underwriting, or similar relationship with an individual or firm, with respect to a bond issue that requires voter approval on or after January 1, 2011, if that individual or firm, or an employee, agent, or person related to an employee or agent of the individual or firm, provided or will provide bond campaign services, as defined, to the bond campaign.*

~~Existing law authorizes an appointing power to make a limited term appointment to fill temporary staffing needs. Existing law defines a limited term employee as an employee whose appointment as a result of reinstatement or certification from an employment list shall not exceed 2 years. Existing law prohibits limited term appointments from individually or consecutively exceeding one year, except that the State Personnel Board may authorize limited term appointments of up to a total of 2 years' duration when a permanent appointment would be~~

likely to cause a layoff, demotion, or mandatory transfer requiring a change of residence upon the conclusion of the temporary staffing need. Existing law authorizes limited term appointments to be extended within the time limits prescribed by those provisions without making an additional appointment.

~~This bill would instead prohibit limited term appointments from individually or consecutively exceeding one year except that the board would be authorized to make an extension up to 2 years without making an additional appointment if a permanent appointment would be likely to cause a layoff, demotion, or mandatory transfer requiring a change of residence upon the conclusion of the temporary staffing need. The board would also be authorized to make an extension for more than 2 years, but not to exceed 4 years, without making an additional appointment if needed due to funding exceeding 2 years, to retain the expertise of the incumbent to complete project work that is still in progress, or to prevent the disruption of state operations.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 53593.5 is added to the Government Code,  
2     to read:  
3     53593.5. (a) A local agency is prohibited from entering into  
4     a financial advisory, legal advisory, underwriting, or similar  
5     relationship with an individual or firm, with respect to a bond  
6     issue that requires voter approval on or after January 1, 2011, if  
7     that individual or firm, or an employee, agent, or person related  
8     to an employee or agent of the individual or firm, provided or will  
9     provide bond campaign services to the bond campaign.  
10    (b) For purposes of this section, “related” includes, but is not  
11    limited to, a family relationship by blood or marriage, a financial  
12    relationship, an affiliation between business structures, or the  
13    sharing of one or more common principals.  
14    (c) (1) For purposes of this section, “bond campaign services”  
15    includes fundraising, public opinion polling, election strategy and  
16    management, organization of campaign volunteers, get out the  
17    vote services, development of campaign literature, and advocacy  
18    materials.

1 (2) “Bond campaign services” does not include either of the  
2 following:

3 (A) Advice and support related to the preparation of tax rate  
4 statements and other documentation required for inclusion in the  
5 voter pamphlet published by the applicable county registrar of  
6 voters.

7 (B) Public opinion polling that is conducted before a bond  
8 measure is placed on the ballot for the purposes of gathering  
9 information regarding, and evaluating the potential for, the  
10 adoption of the bond measure by the electorate.

11 ~~SECTION 1. Section 18530 of the Government Code is~~  
12 ~~amended to read:~~

13 ~~18530. “Limited term employee” means an employee whose~~  
14 ~~appointment as a result of reinstatement or certification from an~~  
15 ~~employment list shall not exceed two years, except as specified~~  
16 ~~by Section 19080.3.~~

17 ~~SEC. 2. Section 19080.3 of the Government Code is amended~~  
18 ~~to read:~~

19 ~~19080.3. (a) Limited term appointments shall be made only~~  
20 ~~for temporary staffing needs and shall not individually or~~  
21 ~~consecutively exceed one year, except as otherwise provided in~~  
22 ~~subdivision (b) or (c).~~

23 ~~(b) The board may authorize limited term appointments of up~~  
24 ~~to a total of two years without making an additional appointment~~  
25 ~~if a permanent appointment would be likely to cause a layoff,~~  
26 ~~demotion, or mandatory transfer requiring a change of residence~~  
27 ~~upon the conclusion of the temporary staffing need.~~

28 ~~(c) The board may authorize limited term appointments for more~~  
29 ~~than two years, but not to exceed four years, without making an~~  
30 ~~additional appointment if the extension is needed because the~~  
31 ~~funding exceeds two years, to retain the expertise of the current~~  
32 ~~incumbent to complete project work that is still in progress, or to~~  
33 ~~prevent the disruption of state operations.~~